



DECISION PAPER

DATE January 15, 2021

TITLE:

Unit 04, Lot 544 Appeal of Architectural Standards Committee Decision

RECOMMENDATION:

By Motion:

The Board of Directors deny the appeal made by the Owner of Unit 04, Lot 543 and uphold the decision of the Architectural Standards Committee which granted conditional permit approval November, 18, 2020, based on revision to the site plan (noting power be proposed overhead) and elevations (to include vents) without modification and not including the additional requirements placed on the owner as per suggested in the appeal request.

BACKGROUND

At the ASC meeting on November 18, 2020, Mr. Jones, the neighbor at Lot 543, was present at the meeting and requested both the project's proposed driveway and utility lines be relocated to preserve trees which the owner had proposed to be removed in the project. The committee explained that the owner can remove trees to facilitate the preferred site plan on the property. The Tahoe Donner ASC permit was issued for the project, the owner commenced construction prior to the winter with site clearing.

The appellant is requesting the Board modify the Committee's approval to,

- Require the owner to plant two 10-15-foot-high Jeffrey Pines or White Firs near the easterly boundary of the property before a Certificate of Occupancy is issued, the location to be approved by the Tahoe Donner Forestry Department in lieu of trees removed for utility line purposes.
- Require trenching for utilities be routed away from the remaining seven trees near the northeast corner of the property as much as possible, including hand-digging of trenches that come relatively near to said trees.
- Request that two Jeffrey pine or White Fir trees, 10-15ft in height, are planted near the easterly boundary with Forestry approving of the location.

As part of the Appellant's Appeal Request, the appellant requests the Board instruct the ASC to alter proposed plans for building and driveway footprints to minimize removal of any existing mature trees in the future and include the Forestry Department in the approval of the final location of the utility trenching.

Please note an additional site inspection has not been completed to confirm if additional trees have been removed other than what was proposed for removal at the meeting due to winter conditions.



ANALYSIS:

The new house construction included a straight driveway 23' in width:

- The neighbor made comments to move the driveway over to preserve the 20" Lodgepole pine. The committee explained moving the driveway and house would then potentially require a 24" Jeffrey pine to the rear of the house to be removed. The neighbor suggested to curve and narrow the driveway instead.
- The committee agreed the proposed width was below the Town of Truckee maximum of 24' and agreed a 23' driveway is approvable, which is consistent with TD rules and approvals of similar projects

Historically, the committee has placed focus on the practical nature of a proposed driveway for the following reasons including driveways over 20' in width:

- Safety concerns with ingress and egress from the street
- Aesthetic appearance
- Functionality
- Winter maintenance

The utilities lines are proposed to run by a grove of Lodgepole pines:

- The owner explained the sewer is required to be straight. The water line is preferable to be straight as well for most efficient flow.
- The owner explained that during construction he will assess at the site and do their best to preserve the trees.

The public utility agencies, Truckee Sanitary District, and the Truckee Donner Public Utility District, dictate where or how a sewer or water lines are trenched, not the Committee or staff. The committee and staff have no jurisdiction over the direction or placement of underground utilities.

The request to plant two trees either Jeffrey Pine or White Fir trees 10-15ft in height is an unreasonable request as since there is no local supply. This mitigation condition is inconsistent with past projects of similar scope.

Finally, the Forestry department does not review architectural standards construction project submittals. Their authority for review and permitting of tree removals is a separate process and unrelated to construction projects. Factually, the Forester's perspective on Lodgepole pine that they are an undesirable tree species due to frequency susceptibility to environmental pressures and invasive species.

OUTREACH:

N/A

FISCAL IMPACT:

N/A





ALTERNATIVE:

The board has a number of alternatives:

1. The board may deny the appeal with modifications
2. The board may choose approval the appeal
3. The board may choose to approve the appeal with modifications

ATTACHMENTS:

Exhibit A: AS Rules, Procedures and Restrictions for Land Use, Section II Plan Submittal Requirements (F) Site Inspection and Tree Removal Requirements and Section III Specific Building Requirements (C) Garage, Driveways and Parking Area

Exhibit B: Lot, Location and Site Plan

Exhibit C: Unit 04, Lot 544 ASC Decision Letter

Exhibit D: Unit 04, Lot 543 Appeal Request and Supplemental Reading

Prepared By: Sheryl Walker, ASO Manager

Reviewed By: Annie Rosenfeld, Director of Risk Management and Real Property

Board Meeting Date: January 22, 2021

General Manager Approval to Place on the Agenda: _____

